

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/555,729

Applicant: Nie et al.

Filed: November 7, 2005

TC/AU: Unassigned

Examiner: Unassigned

Docket No.: 239659 (Client Reference No. 0215-US)

Customer No.: 23460

Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

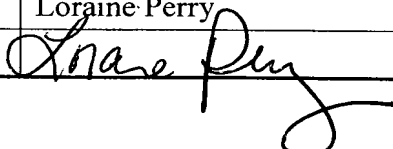
Dear Sir

Applicant(s) hereby respond(s) to the Notification of Missing Requirements dated October 23, 2006.

The items checked below are appropriate:

## 1. Status of Applicant

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this Response and all accompanying documents are, on the date indicated below, <input checked="" type="checkbox"/> being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or <input type="checkbox"/> being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (571) 273-8300.			
Name (Print/Type)	Lorraine Perry		
Signature		Date	December 15, 2006

**2. Documents Submitted Herewith**

- a. ☒ Executed Declaration of inventor(s)  
b. ☐ Nucleotide and/or Amino Acid Sequence Submission:  
i. ☐ Computer Readable Form (CRF)  
ii. Specification Sequence Listing on:  
(1) ☐ CD-ROM or CD-R (2 copies); or  
(2) ☐ Paper Copy  
iii. ☐ Statement verifying identity of above copies  
c. ☐ Verified English translation of application  
d. ☒ Copy of the Notice to File Missing Parts of Application  
e. ☐ Substitute Drawings  
f. ☒ Other: Return Receipt Postcard

**3. Application Filing Fee**

- a. ☒ No application filing fee due  
b. ☐ Application filing fee due in amount calculated below:

BASIC FEE (\$300 FILING FEE + \$200 EXAMINATION FEE + \$500 SEARCH FEE)				\$1,000.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	- 20 =		x \$50.00	\$
Independent Claims	- 3 =		x \$200.00	\$
<input type="checkbox"/> Multiple Dependent Claim(s) if applicable			+ \$360.00	\$
<input type="checkbox"/> Application Size Fee (\$250 for each additional 50 sheets over 100)				\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$( )
Fee Already Paid =				\$
Fee Due =				\$

**4. Late Filing of Oath or Declaration Surcharge**

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for  
☐ other than a small entity or ☒ a small entity.

**Fee Due** \$ 65.00

**5.. Non-English Specification Surcharge**

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

**6. (Provisional only) Surcharge for Late Submission**

Pursuant to 37 CFR 1.16(g), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

12/27/2006 LLANDGRA 00000078 121216 10555729

01 FC:2617 65.00 DA

**7. Extension of Time**

- ☐ Applicant(s) petition(s) for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- ☒ Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

**Fee Due** \$0.00

**8. Total Fee Due**

The total fee due is:

Application Filing Fee	
Late Filing of Declaration Surcharge	\$ 65.00
Non-English Specification Surcharge	\$ 0.00
(Provisional only) Surcharge for Late Submission	\$ 0.00
Extension of Time Fee	\$ 0.00

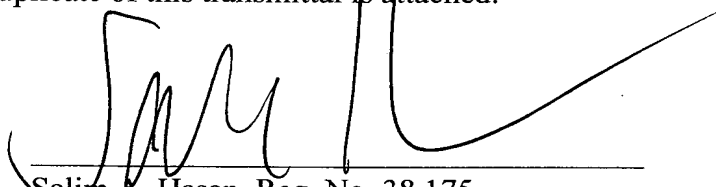
**Total Fee Due: \$65.00**

**9. Fee Payment**

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 12-1216 the sum of \$65.00. A duplicate of this transmittal is attached.

**10. Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.



Salim A. Hasan, Reg. No. 38,175  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson Avenue  
Chicago, Illinois 60601-6731  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: December 15, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

To: **L92**

cc:

LVM **239659, 1 URTC**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/555,729

FIRST NAMED APPLICANT

Shuming Nie

ATTY. DOCKET NO.

239659

INTERNATIONAL APPLICATION NO.

PCT/US04/13119

I.A. FILING DATE

04/28/2004

PRIORITY DATE

05/07/2003

23460

LEYDIG VOIT & MAYER, LTD  
 TWO PRUDENTIAL PLAZA, SUITE 4900  
 180 NORTH STETSON AVENUE  
 CHICAGO, IL 60601-6780

CONFIRMATION NO. 2003

371 FORMALITIES LETTER



\*OC000000020919333\*

Date Mailed: 10/23/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/07/2005
- Copy of the International Search Report filed on 11/07/2005
- Preliminary Amendments filed on 11/07/2005
- Information Disclosure Statements filed on 05/18/2006
- U.S. Basic National Fees filed on 11/07/2005
- Assignment filed on 11/07/2005
- Priority Documents filed on 11/07/2005

**LEYDIG, VOIT & MAYER**  
**RECEIVED**

OCT 30 2006

PAT/TM Due Date

**12/23/06**  
**5/23/07**

JC

MPA

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/555,729	PCT/US04/13119	239659